

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CAROL A. WILSON, *et al.*,

Plaintiffs,

v.

**CHAGRIN VALLEY STEEL
ERECTORS, INC.,**

Defendant/Third-Party Plaintiff,

v.

JUSTIN M. HELMICK,

Third-Party Defendant.

Case No. 2:16-cv-1084

**CHIEF JUDGE EDMUND A. SARGUS, JR.
Magistrate Judge Kimberly A. Jolson**

OPINION AND ORDER

The Court held a telephone status conference in this case on May 11, 2018 to discuss several matters, including Defendant's motion for an Order staying enforcement of the Court's judgment in this case pending appeal (ECF No. 85). Chagrin Valley's Motion is accompanied by a *supersedeas* bond in the amount of \$150,000. Plaintiff asserts that this amount does not adequately protect the Funds' interest, and requests that the bond be set in the amount of \$250,000.00. (ECF No. 87.)

Federal Rule of Civil Procedure 62(d) provides that a stay pending appeal may be granted, upon the Court's approval of a *supersedeas* bond:

(d) Stay with Bond on Appeal. If an appeal is taken, the appellant may obtain a stay by supersedeas bond, except in an action described in Rule 62(a)(1) or (2). The bond may be given upon or after filing the notice of appeal or after obtaining the order allowing the appeal. The stay takes effect when the court approves the bond.


As noted above, Plaintiff opposes a stay unless a larger *supersedeas* bond is provided by Defendants (ECF No. 87). Underlying these motions is the issue of the as yet unsettled amount to be

awarded for attorney's fees and costs (ECF No. 77). Defendants oppose the amount of attorney's fees requested in Plaintiff's motion, and have moved for oral argument on the matter (ECF No. 83).

The Court will hold a hearing on **June 6, 2018, at 10:00 a.m.** to permit the parties to be heard on the matter of attorneys' fees and costs, and to consider the appropriate amount of any *supersedeas* bond.

IT IS SO ORDERED.

5-21-2018
DATE


EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE